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**Subject:** T-S/MV - 1400 N Shoreline Blvd: Meeting Summary - Redevelopment Path Forward  
**Date:** Monday, April 07, 2014 12:06:00 PM  
**Attachments:** [Email - RB2-Shashi -- Meeting Summary - Probable Off-Property Redevelopment \(13Mar14\).pdf](#)

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Hello Tom:

Thank you for coordinating the redevelopment team to attend the 2April14 meeting (Meeting) regarding the subject property (Property). The following lists the participants, summarizes our Meeting discussion, and indicates the redevelopment path forward.

### **Participants**

Rubicon Point Partners: Ani Vartanian Boladian  
Grafcon: Tom Graf  
SSL Law Firm: Zachary Walton  
Partner Engineering and Science: Jan Grenfel  
Regional Water Board: Roger Papler

### **Meeting Summary**

#### ***Response to Comments***

Basic V's National Pollution Discharge Elimination System (NPDES) permit was for stormwater regulation. When stormwater issues were addressed, the NPDES permit was rescinded. Thin Silicon's occupancy has spanned from 2007 to the present.

#### ***Site History and Background***

The Lester family has owned the Property since the late 1960s or early 1970s when they constructed the existing buildings on the Property. The downgradient property at 1500 N. Shoreline Boulevard - where the movie theatre is located - is owned by the Syufi family. Rubicon plans to develop the Property with up to three multi-story buildings with underground and structured parking. Rubicon seeks to understand what the Regional Water Board will expect if Rubicon purchases and develops the Property.

#### ***Investigative Results***

Data was presented from sampling collected at 10 locations across the site. The presented data included grab groundwater samples collected and analyzed within the last week and the most recent available existing monitoring well data from our GeoTracker web site. With on-Property groundwater-trichloroethene (TCE) levels that were mostly well below the maximum detection of 590 micrograms per liter (ug/l) in PES-B8, there could be an on-Property source in this area. Research into prior and current sewer alignments indicate that the source could be from a leaking sewer that passes through the PES-B8 area.

#### ***Regional Water Board Comments***

The data discussed in the 26Mar14 email comments and in the data package presented in the Meeting indicates a potential on-Property soil source in the PES-B8 area. It has been our experience that high resolution investigative technologies may be needed to optimize detecting such sources. If Rubicon proceeds to investigate, detect, and remediate a probable soil source in the PES-B8 area as directed by the Regional Water Board, Rubicon as the forthcoming Property owner would not be named as a Responsible Party for the Teledyne-Spectraphysics (T-S) Superfund site. If the transaction proceeds, we may open a case for the property as a Site Cleanup Program (SCP) site. As with other SCP sites within the T-S plume such as the Montwood and Peery-Arrillaga properties, there is no low threat closure policy (LTCP) because the surrounding Superfund site - as will all other Federal Superfund sites - only

closes at Maximum Contaminant Levels.

***Path Forward***

Following up on the groundwater-TCE detection of 590 ug/l, Rubicon plans to investigate a potential soil source in the PES-B8 area with high-resolution investigative technology. If a source is detected, Rubicon will remove the source and conduct on-property groundwater remediation as needed. Rubicon would also like to pursue the same arrangement as the Regional Water has with the Shashi Group as documented in the attached 13Mar14 Meeting Summary.

For post remediation liability protection, Rubicon intends to explore a prospective purchaser agreement (PPA) or similar arrangement and is aware that PPAs are now issued as a Board item and this process requires at least several months to complete. SSL Law Firm plans to contact the attorney for the State Water Resources Control Board to discuss the most feasible means of addressing Rubicon's liability concern.

Please note that since you have requested the same arrangement that the Regional Water Board has with the Shashi Group, you should expect to install a vapor intrusion mitigation system for the proposed buildings regardless of the on-Property mitigative efforts. If you have any questions, please contact this office.

Respectfully,

Roger W. Papler, P.G.  
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